



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 2517/2026

Devendra Kumar Pareek S/o Omprakash Pareek, Aged About 52
Years, R/o Teachers Colony, Prem Nagar, Foyasagar Road, Ajmer.

-----Petitioner

Versus

1. The State of Rajasthan through Principal Secretary,
Department of Education, Government of Rajasthan,
Secretariat, Jaipur.
2. The Director, Secondary Education, Bikaner.
3. The Joint Director, School Education, Ajmer Range Ajmer
4. Manish Kumar Kothari, at Present Working As
Administrative Officer at Office of Joint Director, School
Education, Ajmer Range, Ajmer.

-----Respondents

For Petitioner(s)	:	Mr. Abhishek Bhardwaj
For Respondent(s)	:	

HON'BLE MR. JUSTICE ANAND SHARMA

Order

24/02/2026

1. Petitioner has filed this writ petition challenging order dated 28.01.2026 passed by the Rajasthan Civil Services Appellate Tribunal, Jaipur in Appeal No.4041/2025 (hereinafter to be referred as 'the Tribunal'), whereby appeal filed by the petitioner against transfer order dated 11.08.2025 has been dismissed.

2. Learned counsel for the petitioner submits that earlier vide order dated 12.05.2025, the petitioner was placed awaiting posting order by the respondents, therefore, under such circumstances, the petitioner approached this Court by way of filing S.B. Civil Writ Petition No.8396/2025 contending therein that



the APO order has been passed in contravention to Rule 25-A of RSR and no fresh posting order has been issued. Learned counsel submits that thereupon, while recording such contention of the petitioner, Co-ordinate Bench of this Court stayed the operation of APO order dated 12.05.2025 until a fresh posting order is issued to him.

3. Learned counsel for the petitioner submits that although liberty was granted by this Court while passing interim order dated 28.05.2025 for issuing fresh posting order, yet while issuing fresh transfer/posting order dated 11.08.2025, the respondents cannot rely upon such liberty and reference thereof cannot be made in such transfer/posting order. Learned counsel submits that referring the liberty granted by this Court vide order dated 28.05.2025 in impugned order dated 11.08.2025, itself would show that the order has not been passed by the competent authority while applying its own mind and rather the order is influenced by the liberty granted by this Court. Learned counsel also submits that such an exercise cannot be said to be administrative exigency prompting the respondent to pass order dated 11.08.2025. Learned counsel submits that the petitioner accordingly challenged the order dated 11.08.2025 by making necessary amendment in the appeal, however, the Appellate Court has utterly failed to appreciate the facts of the case, material on record and law prevailing at the relevant time.

4. Heard learned counsel for the petitioner and perused the record.

5. The fundamental ground raised by the petitioner that the respondents have committed illegality in passing order dated



11.08.2025 by referring the liberty granted by this Court in order dated 28.05.2025 is wholly misconceived. When in the earlier Writ Petition No.8396/2025, the sole contention of the petitioner was that without passing any posting order, the petitioner was illegally placed awaiting posting order and relying upon such contention of the petitioner, while granting interim order, this Court specifically granted liberty to the respondents to pass a fresh posting order. Giving reference of such liberty granted by this Court in earlier writ petition, cannot be said to be any irregularity, illegality or infirmity in the impugned order passed by the respondents. This writ petition is misuse of the process of the Court and the transfer orders, which have been passed in administrative exigency cannot be allowed to be challenged on such frivolous grounds.

6. In view of above, there is no substance or merit in the case and the writ petition filed by the petitioner is hereby dismissed with a cost of Rs.10,000/-.

7. Pending application(s), if any, also stand(s), disposed of.

(ANAND SHARMA),J